

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MARCO PALMERI,

Plaintiff,

v.

LG ELECTRONICS USA, INC.,

Defendant.

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Civil Action No. 07-5706 (JAG)

ORDER

GREENAWAY, JR., U.S.D.J.

This matter comes before this Court on the motion to dismiss the First Amended Complaint by defendant LG Electronics USA, Inc. (“LG” or “Defendant”), pursuant to FED. R. CIV. P. 12(b)(6), for failure to state a claim upon which relief can be granted; and it appearing that this Court reviewed the parties’ submissions, and for the reasons set forth in the accompanying Opinion, and good cause appearing,

IT IS on this 30th day of June, 2009,

ORDERED that Defendant’s motion to dismiss (Docket Entry No. 24) is GRANTED, in part, and DENIED, in part; and it is further

ORDERED that Counts I, II, III, IV, and VI of the First Amended Complaint are dismissed, with prejudice; and it is further

ORDERED that Count V (Strict Product Liability) of the First Amended Complaint remains; and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the

date of entry of this Order.

S/Joseph A. Greenaway, Jr.
JOSEPH A. GREENAWAY, JR., U.S.D.J.